

FILE

HSVCA 98/62

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TUEISSUE:

Present status of investigation concerning inquiries into the death of Scott Stuart MILLER as directed by the NSW Senior Deputy Coroner, Mr. John Abernethy - CAC reference 97-0440.

BACKGROUND:

On the morning of the 3rd March, 1997, the body of Scott Stuart MILLER, was found in a machinery yard in the compound of Patricks The Australian Stevedore at the northern end of gate 4, Hickson Road, Darling Harbour. The body was face down on the asphalt at the base of a cliff.

To this date the cause of death is unclear, however there are a number of hypothesis put forwarded by Police and the Government Pathologist, Dr. Duflou.

On the 7th October, 1997, Senior Deputy Coroner, Mr. Abernethy conducted an inquest in the death of Scott Stuart MILLER, and concluded on the evidence, that Scott MILLER was the victim of homicide by person or persons unknown and returned an 'open finding'.

In November, 1997, the MILLER family wrote to Mr. Abernethy, seeking a further investigation into the death of their son. In that letter the family raises a number of concerns and seeks a further investigation. The Coroners Office forwarded this material in these terms.

The writer identified nine (9) issues contained in the aforesaid letter which is appended and marked annexure 'a'. Issues 1 and 2 have been addressed and there is no further action. In respect to issue 3, this matter has been discussed with family, and at this time, no further action is contemplated. During the course of the initial investigation issues 4, 6, 7 and 8 were addressed, however, these matters will be re-investigated at the request of the MILLER family which is detailed in the latter part of this report. Arrangements are in place for issue 9 to be addressed by the Communication Section.

COMMENT:

On Monday the 6th January, 1997, the writer had a conference with the MILLER family. The MILLER family were informed of the present status of the investigation, coupled with recent information received from the public.

During the course of that conference, the MILLER family requested the following matters be addressed:

- \* *re-interview the licensees and security manager/staff who were working on the early morning of the 2/3/97 in an attempt to determine if any of these persons can identify their son and provide any additional information. The Licensed premises to be canvassed are:*

*Orient Hotel - The Rocks  
War of Fortune Hotel - The Rocks  
Jacksons on George - Sydney CBD*

- \* *Re-interview Captain WRIGHT of the vessel 'Ranginui' which was docked at Wharf four (4) at the time of the incident. This vessel departed Australia on the morning of the 2/3/97, and therefore, taking into consideration when the deceased was found, the Captain and crew were not interviewed until the vessel returned some two weeks later. They request the Captain be re-interviewed to ascertain why two merchant seaman did not make the return voyage, whether there was a medical officer on board and any other information which may be gleaned to assist the investigation.*
- \* *Application be made for a Government reward. This application will encompass a comprehensive report of the original investigation, Coroners findings, outcome of this investigation and the writers opinion to be addressed to the rewards evaluation committee - Deputy Commissioner - Operations.*

In recent times investigating Police received fresh information concerning this matter from two separate sources:

- (a) *a detainee, [NP131] who was in a Mt. Penang Detention Centre was overheard by a youth worker some nine (9) months ago skiting that he and other persons had chased a male person in a park near the 'The Rocks' and bailed him up near a fence, hit him over the head with a bottle and threw him over a fence.*

*[NP131] declined to be interviewed and records indicate at the time of the incident he was detained in Karoing Detention Centre.*

- (b) *A resident of Millers Point provided information that he was confronted by two male persons in the early hours of the morning of the 2/3/97 who were seeking to dispose of a large dog their car hit in that vicinity. The resident indicated a location where the deceased was found. At the time the resident was suspicious of these two persons who were nervous, anxious and on foot, and was unable to see any evidence of a dead dog.*

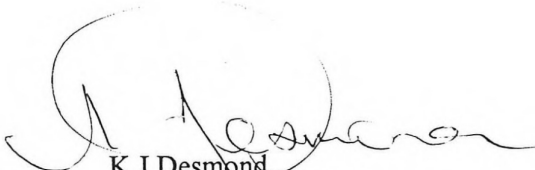
*On the 7th January, 1998, a media release which is appended and marked annexure 'b' was released through the Media Section of the Service to both the electronic and print media, which information received quality air time.*

The writer is continuing these inquiries in conjunction with other outstanding matters, namely a investigation concerning [REDACTED] and particularizing facts for the Crown which they are relying on in a forthcoming committal hearing concerning a high profile and complex fraud matter.


With no further family requests, which is more than likely, no further information from the media release, the outstanding inquiries as aforesaid should be completed within the next several weeks.

**RECOMMENDATION:**

This report is prepared and forwarded to the Commander, Homicide and Serial Violent Crime Agency in respect to a review on the 12th January, 1998 in accordance with the terms for reference of CAC 97-0440.

  
K J Desmond  
Detective Sergeant  
8th January, 1997.  
E/N [REDACTED]

Commander, Homicide and Serial Violent Crime Agency.

 J. J. Sillar, DLS e/serect  
14/1/98.

